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Leopold Museum-Privatstiftung

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA

Plaintiff, :

- against - :

PORTRAIT OF WALLY
A PAINTING BY EGON SCHIELE, :

Defendant *in Rem.* :

-----X

99 Civ. 9940 (LAP)

**NOTICE OF MOTION FOR
RECONSIDERATION OR
RE-ARGUMENT OF THE COURT'S
OPINION AND ORDER DATED
SEPTEMBER 30, 2009**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the undersigned counsel for Claimant Leopold Museum-Privatstiftung ("Leopold Museum") will move this Court, before the Honorable Loretta A. Preska, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, for reconsideration or re-argument of parts of the Court's Opinion and Order dated September 30, 2009 pursuant to Rules 54(b) and 60 of the Federal Rules of Civil Procedure and Local Civil Rule 6.3.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rules 6.1 and 6.3, any opposing affidavits and memoranda of law are to be served within ten business days after service hereof.

Dated: New York, New York
October 16, 2009

SMITH, GAMBRELL & RUSSELL, LLP

By:



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